

LAW OFFICES  
**BLOOSTON, MORDKOFKY, DICKENS, DUFFY & PRENDERGAST, LLP**

BENJAMIN H. DICKENS, JR.  
JOHN A. PRENDERGAST  
GERARD J. DUFFY  
RICHARD D. RUBINO  
MARY J. SISAK  
D. CARY MITCHELL  
SALVATORE TAILLEFER, JR.

2120 L STREET, NW  
WASHINGTON, DC 20037  
  
(202) 659-0830  
FACSIMILE: (202) 828-5568

AFFILIATED SOUTH AMERICAN OFFICES

ESTUDIO JAUREGUI & ASSOCIATES  
BUENOS AIRES, ARGENTINA

HAROLD MORDKOFKY  
OF COUNSEL

EUGENE MALISZEWSKYJ  
ENGINEERING CONSULTANT

ARTHUR BLOOSTON  
1914 – 1999

November 17, 2017

**WRITER'S CONTACT INFORMATION**

bhd@bloostonlaw.com  
202-828-5510

**VIA ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Notice of *Ex Parte* Presentation in WC Docket No. 17-108  
Restoring Internet Freedom

Dear Ms. Dortch:

On November 15, the Alarm Industry Communications Committee (AICC) met with Kris Monteith; Madeleine Findley; Daniel Kahn; and Joseph Calascione of the Wireline Competition Bureau. Benjamin H. Dickens, Jr. and Salvatore Taillefer, Jr., counsel to AICC, attended the meeting on behalf of AICC. In the meeting, AICC discussed its concerns about the potential impact of the Commission's upcoming *Restoring Internet Freedom* order on competition in the alarm industry and on public safety in general.

Specifically, AICC discussed the points outlined in the attached document, which was handed out to attendees of the meeting. AICC also discussed the incentives and ability to discriminate of the former Bell Operating Companies who, among others, also compete in the alarm service market, and emphasized the need for the Commission to adopt *ex ante* rules against such discrimination in light of the public safety function alarm monitoring serves. Finally, AICC discussed the avenues of authority the Commission might consider to implement such nondiscrimination provisions, and noted that Commission precedent would support jurisdiction over individual information services where it jurisdiction is "discrete and limited."<sup>1</sup>

---

<sup>1</sup> *In the Matter of Implementation of Sections 255 and 251(a)(1)*, 16 FCC Rcd 6417, 6455 - 6462 (FCC 1999).

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS. If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Salvatore Taillefer, Jr.', with a stylized, cursive script.

Salvatore Taillefer, Jr.  
Counsel to the Alarm Industry  
Communications Committee

CC: Kris Monteith  
Madeleine Findley  
Daniel Kahn  
Joseph Calascione



## Alarm Industry Communications Committee

---

### Who We Are:

- Committee of The Monitoring Association (TMA), formerly Central Station Alarm Association.
- Members from 3 principal trade associations representing 3 industry sectors: Alarm monitoring industry (TMA); Alarm dealers and installers (Electronic Security Association); Manufacturers (Security Industry Association)
- The alarm monitoring industry protects approximately 30 million residential and business customers, and serves a wide variety of important facilities, such as government offices; banks; hospitals; power plants (including nuclear facilities), dam and water authorities; pharmaceutical plants and chemical plants; schools and universities.
- Members include both service and manufacturing: 650 central stations listed by Underwriters' Laboratories; 13,000 installing companies who are, overwhelmingly, small businesses (some overlap with central stations); a large number of manufacturers making equipment within the U.S.

### Consumer Protection:

- AICC strongly supports the continued application of the Bright Line Rules – no blocking, no throttling, and no paid-prioritization – to broadband Internet access service. **Without rules of this sort, customers may be endangered where alarm signals are not delivered in a timely fashion. Accordingly, *ex ante* rules are necessary in the context of alarm monitoring.**
- AICC also supports the adoption of an expedited consideration process for complaints alleging blocking, throttling, or other unfair practices by broadband Internet access providers, as well as mobile Internet access providers. **In the event that ISPs do block or throttle alarm signals, consumers and alarm companies need a fast track to resolve the issue as soon as possible. However, such *ex post* enforcement processes are not sufficient to protect public safety without corresponding *ex ante* rules of the road.**
- Section 275 provides protection from discriminatory service by LECs and their affiliates.

Competition:

- Mobile broadband providers equally have as much incentive and ability to discriminate against alarm service providers, with the ability to inflict even greater financial harm, and treat them equally when it comes to competitive safeguards. **With the increasing reliance of the country on mobile communications, equal treatment of fixed and mobile broadband is imperative to maintain competition in the alarm monitoring market.**

Authority:

- AICC agrees with ADT that ancillary jurisdiction would support the extension of Section 275 to non-ILEC ISPs. **The Commission has invoked ancillary jurisdiction to regulate information services in the past, where those services were integral to another statutorily mandated Commission objective (access to telecommunications services for individuals with disabilities).**
- If the Commission reclassifies BIAS as a Title I information service, then that service will no longer qualify as a telecommunications service and its providers will no longer be telecommunications carriers for the purposes of the FCC's forbearance authority.